

Policies and Procedures

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SCHOOL CLOSING POLICY*

As a general rule, classes will not be cancelled if the campus roadways and parking lots are usable, the state offices are open for business, and the police have not limited travel on major highways and arteries. These factors also are considered in the closing of the centers. **Please note that the closing of public schools, etc., will not necessarily mean UMA is closed.** Regardless of UMA's decision regarding closing, students must decide for themselves whether or not it is prudent to travel to the campus, a center, a site, or a clinical facility.

Closing normally coincides with the closing of state offices and state police restricting travel. In the event of an emergency condition occurring during the night, necessitating closing or delaying the opening of the Augusta and Bangor campuses, and UMA Lewiston-Auburn, a decision will normally be made by 6:00AM for day classes. In the event of deteriorating conditions during the day, listen for updates. Every effort is made to give students two (2) hours' notice of any cancellations, but unanticipated weather conditions and concerns for safety may sometimes require shorter notification.

Notice of closing is normally made on local radio stations; listings of specific stations used are posted in classroom areas. When possible, notice of closing is available by calling 621-3000 or 1-877-UMA-1234 and selecting option #3. Lewiston-Auburn students may call the Lewiston-Auburn Storm Line at 753-6595. Bangor students may call 262-7700.

*May also apply to emergency situations other than weather.

SELLING, SOLICITING, ADVERTISING, AND SPEAKING ON CAMPUS

UMA encourages appropriate participation of on-campus groups and the general community in activities of mutual benefit on the premises of UMA while protecting the central educational purposes of the University and assuring no unfair competition with local businesses. Any individual or group, on campus or off, wishing to engage in any solicitation (including commercial sales, fund

raising, and distribution of literature) must apply for permission. Augusta: Contact Administrative Services; Bangor: Contact campus dean; Lewiston-Auburn: Contact college administrative office.

SEXUAL HARASSMENT POLICY

What is Sexual Harassment?

Sexual harassment is unwelcome sexual attention that is a form of illegal sex discrimination under federal and state law. It is usually repeated behavior, but could be one serious incident. Sexual harassment may be blatant, as in

- deliberate touching, pinching, caressing
- attempts to fondle or kiss
- pressure for dates or sex
- requests for sex in exchange for grades or promotions.

Or sexual harassment may be more subtle—like staring, sexual jokes, or teasing, sexually demeaning remarks. Although such forms of harassment may be unintentional, persistent or severe sexual behavior and words are harassing if a reasonable person would find them intimidating, hostile, or offensive, or if they unreasonably interfere with a person's academic or work performance. When the harassing conduct is not sexual, but is based on someone's gender, it can also contribute to creating a hostile environment.

What is the University's Policy?

The University of Maine System is committed to providing a positive education and work environment for all students and staff. Sexual harassment, whether intentional or not, undermines the quality of this climate and is against the law. The University has a legal and ethical responsibility to ensure that all students and employees can learn and work in an environment free of sexual harassment. The Board of Trustees has adopted this policy regarding sexual harassment:

Sexual harassment of either employees or students is a violation of federal and state laws. It is the policy of the University of Maine System that no member of the University System community may sexually harass another. In accordance with its policy of complying with non-discrimination laws, the University System will regard freedom from sexual harassment as an individual employee and student right which will be safeguarded as a matter of policy. Any employee or student will be subject to disciplinary action for violation of this policy.

In conformance with this policy, the University of Maine System will ensure fair and impartial investigations that will protect the rights of the person(s) filing sexual harassment complaints, the person(s) complained against, and the institution or unit. Retaliation against anyone who makes a complaint of sexual harassment or who is involved in a complaint process will not be tolerated.

Consenting relationships may constitute sexual harassment under this policy. When a professional power differential exists between members of the University of Maine System and a romantic or sexual relationship develops, there is a potential for abuse of that power, even in relationships of apparent mutual consent. Faculty and staff members are strongly advised not to engage in such relationships. Further, the University System prohibits the abuse of power in romantic or sexual relationships.

To assure that power is not abused and to maintain an environment free of sexual harassment, a faculty or staff member must eliminate any current or potential conflict of interest by removing himself or herself from decisions affecting the other person in the relationship. Decisions affecting the other person include grading, evaluating, supervising, or otherwise influencing that person's education, employment, housing, or participation in athletics or any other University System activity.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
3. such conduct has the purpose or effect of interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive employment, educational, or living environment.

What Kinds of Behaviors May Lead to Complaints?

Not all of the following examples are severe or pervasive enough to be sexual harassment, but all of them involve problematic or questionable behavior that may lead to complaints.

- Rachel's major requires an internship with a community agency. Her supervisor at the agency has been sending her sexually explicit e-mail with links to sexually graphic web sites. Rachel is nervous about continuing her weekly meetings with him.
- At June's work-study job, her supervisor repeatedly makes jokes with sexual overtones. He promises her a promotion if she will work after hours in his apartment on a "special" project.
- In one of Karen's classes, the professor frequently makes derogatory comments and jokes about women that have sexual overtones. Karen finds them so insulting that she is thinking about dropping the course.
- Jim, a custodian in the women's residence hall, has a good relationship with the students. He likes to linger and chat with them and sometimes goes into their rooms to talk. One young woman, uncomfortable with Jim's friendliness, is thinking of moving to a different hall.
- Robert is an older student with a 3.9 G.P.A. The graduate assistant teaching his lab section asked him to go out with her several times. Robert said no and made excuses. Now his papers are getting low grades. He is sure that it is in retaliation for his refusals.
- For some time, Vicki has listened sympathetically when her boss talks about his bad marriage. Now he wants her to listen over drinks after work. Vicki is uncomfortable and her boyfriend is jealous.
- Philip is a student who openly supports gay and lesbian rights. He was pushed to the ground by a group of other students and interrogated about his own sexual preferences while two students made blatant sexual gestures.
- Norma is in a tenure track position. She begins dating John, a tenured professor in the department. After several months, Norma realizes that John is interested in a more serious relationship than she is. But she is worried about breaking off their relationship because John sits on the peer review committee that will consider her reappointment.
- A resident in Mary's hall has been "coming on" to her; though she tries to ignore his behavior, it is getting worse. He stares at her, comments on her clothing, and plays with her hair. Late last night he came to her door loudly asking to sleep with her, and wrote obscenities on her memo board when she refused. Mary's friends are saying, "Watch out for him."

What Are the Effects of Sexual Harassment?

People who are subjected to sexual harassment often feel powerless to stop the situation. Especially in this culture, where "no" is often heard as "yes," verbal refusals are frequently ineffective. People may also fear retaliation if they say "no."

People who experience sexual harassment often blame themselves.

Others may also blame them for the problem, rather than holding the harasser responsible for the behavior.

All effects are harmful.

Sexual harassment is not funny; it is degrading and upsetting. It is not "just the way things are." People who feel harassed have dropped courses, changed majors, avoided advisors, even quit jobs or school.

What About "Consenting" Relationships?

University policy strongly discourages consenting romantic or sexual relationships between members of the University community when one person has power or authority over the other. The trust and respect that students have for faculty and other staff can make it difficult for them to freely reject sexual advances. Because faculty and staff have the power to give or withhold rewards such as praise, grades, and recommendations, this further limits the extent to which a sexual relationship between faculty or staff and students can be considered truly consensual. There are similar problems with an apparently consenting relationship between supervisor and employee. Even if a subordinate student or employee does not appear to object to a sexual relationship, this does not mean that the person welcomes the relationship. Moreover, someone else may claim that the participant in a consenting relationship received preferential treatment and may file a complaint of sex discrimination against the faculty member or supervisor.

Some students--such as RA's and peer tutors--may also be in a position of apparent authority over other students and should be alert to the risks of consenting relationships.

Sexual relationships that may result in complaints of sexual harassment or sexual favoritism and that create a conflict of interest include, for example, those between:

- A faculty member and student who is enrolled in the faculty member's course, who is enrolled in a program for which a course taught by the faculty member is a requirement, who is an advisee of the faculty member, or whose academic work is being supervised by the faculty member;
- A faculty or staff member and student if the faculty or staff member is in a position to evaluate or otherwise influence the student's education, employment, housing, or participation in athletics or any other University activity (staff members include, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors, health center staff, and residential life staff);
- An employee and that person's supervisor; a department chair and a faculty member in the same department; an administrator and a faculty or staff member in a department under that administrator's direction;

- An untenured faculty member and a tenured faculty member who participates in peer recommendations about the untenured person.

If a faculty or staff member becomes sexually or romantically involved with a subordinate student or employee, the faculty or staff member must remove himself or herself from any decisions affecting the other person as soon as practicable. This is necessary to avoid a conflict of interest and the potential for sexual harassment or sexual favoritism. The faculty or staff member should speak with his or her supervisor about appropriate ways to transfer such responsibilities.

How Does Academic Freedom Relate to Sexual Harassment?

Sexual harassment includes verbal conduct that has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment. Verbal expression that is relevant to course subject matter is not regarded as sexual harassment. However, classroom language which is hostile and derogatory and which is directed at an individual because of his or her sex may constitute sexual harassment and may violate University policy.

Academic freedom requires an environment in which no person is exploited or coerced. Sexual harassment hampers academic freedom. The University's policies and procedures for dealing with sexual harassment ensure academic freedom while protecting the rights of all members of the University community.

What Can You Do About Sexual Harassment?

As someone who has experienced or may experience sexual harassment---

Set your own boundaries. Say "NO" emphatically and clearly when you are asked to go places, do things, respond to questions, or engage in situations which make you uncomfortable. Do not worry about offending the other person or hurting his or her ego. Take care of yourself first.

Be aware of situations and people who may harm you. Don't ignore others' warnings about particular people or social settings. Acknowledge their concern for you and for themselves. Trust your own instincts about possible danger.

In an uncomfortable situation, be direct and honest, and remove yourself from the situation immediately. Regardless of your previous behavior or signals you may have given earlier, you have the absolute right to halt any sexual exchange at any time. Accept this right and act on it. If someone tells you to stop an encounter, listen to her or him and respect that request. Anything else is harassment.

Tell someone. Being quiet or stoic about sexual harassment lets it continue. Talk to other students or co-worker; you may not be the only one harassed by this person. Report the harassment to the appropriate University staff. Do not blame yourself and do not delay.

Keep records. Write down dates, places, times, witnesses, and the nature of the harassment—what was done and said and your response. Later, it may be important for you to remember the details of incidents.

As a student, respect the rights and preferences of all members of the University community. Support another student who comes to you with a problem by encouraging her or him to report sexual harassment to appropriate University personnel. Be aware that sexual harassment complaints against students often involve excessive alcohol consumption.

As a faculty member, make sure you are aware of how classroom behavior and interaction with students may constitute, or be construed as, sexual harassment. Discuss the issue with your colleagues, perhaps your students.

As a supervisor, you have a special, legal responsibility to stop sexual harassment. The University could be liable, and you could be found personally liable by a court or government agency, if you sexually harass someone. In the University, supervisors include department chairs and directors, administrators, and any other person who is responsible for the work of another employee, including a student employee. Employers may be legally responsible if they knew or should have known about sexual harassment. If a student or employee reports harassment to you, listen carefully, explain the University's sexual harassment policy, and encourage the person to contact the campus Equal Opportunity Officer or other campus complaint advisor as soon as possible. In addition, it is essential that you promptly report the situation to the Equal Opportunity Officer.

As an employee, report any harassment you become aware of, and be sensitive to how others view what you say and do.

How Are Complaints Handled?

The University has an Equal Opportunity Complaint Procedure to deal promptly and fairly with concerns and complaints about

discrimination or harassment. Any student or employee who feels that he or she has experienced sexual harassment, and anyone with knowledge of an incident, should contact his or her supervisor, the campus Equal Opportunity Officer (if the alleged harasser is an employee), or Student Judicial Officer (if the alleged harasser is a student) as soon as possible after the incident. Any supervisor who becomes aware of a problem should promptly contact the Equal Opportunity Officer. If the Equal Opportunity Officer has a substantial conflict of interest regarding either the complainant or the person accused, an alternate investigator may be requested.

Complaints are handled as confidentially as possible to protect the rights of both the complainant and the person accused. Retaliation against anyone who makes a complaint or participates in a complaint process is not tolerated. The complainant and the person accused have certain rights to representation during the complaint process.

The Equal Opportunity Officer discusses informal and formal options for resolving the problem. The goal of the informal process is to seek a resolution acceptable to everyone involved. Many concerns can be addressed through the informal process, which provides the maximum privacy and an opportunity for the earliest possible resolution.

If the complainant chooses or if a problem cannot be resolved informally, the complainant may request a formal investigation. When the person accused of sexual harassment is a student and a formal complaint is filed, the Student Judicial Officer conducts the investigation according to the procedure in the Student Conduct Code. When the person accused is an employee, the Equal Opportunity Officer conducts the investigation. An appropriate administrator then decides whether the complaint has been substantiated and what corrective action will be taken. When charges of sexual harassment are substantiated, severe discipline may result, up to and including termination for an employee or dismissal for a student.

Under certain circumstances, the campus findings and decisions about a complaint can be appealed to the Equal Opportunity Coordinator for the University System.

Copies of the Equal Opportunity Complaint Procedure are available at your campus library (on reserve), in the Equal Opportunity, Human Resources, and Student Affairs Offices, and on the Web at www.maine.edu/eocp.html. All members of the University community are encouraged to use this procedure. Sexual harassment complaints may also be filed with the Maine Human Rights Commission, State House Station 51, Augusta, Maine, 04333, (207) 624-6050. Employees may choose instead or in addition to file a grievance.

How Can I Avoid Behavior That May Be Seen As Harassing?

Here are some guidelines:

- Treat all co-workers and students with respect.
- Be careful about touching others.
- Avoid jokes, words, and gestures that have sexual connotations or demean or trivialize any person or group.
- Keep compliments casual and impersonal.
- Leave sexually provocative pictures and language at home.

Ask yourself if:

- Others seem uncomfortable with your comments or behavior;
- It is behavior you would want to appear on the evening news;
- You would want a member of your family to be treated in the same way.

When in doubt don't do or say it!

Where Can You Go For Help?

If you think that you are being sexually harassed, or if you have information about sexual harassment, seek help—the sooner the better. Report sexual harassment to your supervisor or Equal Opportunity Officer or to the Student Conduct Officer if the alleged harasser is a student. In addition to the individuals listed here, you may talk with any faculty member, administrator, or staff person with whom you feel most comfortable, including your supervisor, the harasser's supervisor, or your resident assistant. If you need personal help in dealing with the effects of sexual harassment, contact the campus counseling center (students) or employee assistance program (employees).

REMEMBER, THE UNIVERSITY'S GOAL IS TO PREVENT OR, WHEN NECESSARY, STOP SEXUAL HARASSMENT ON CAMPUS. THERE ARE MANY RESOURCES DIRECTED TOWARD THESE GOALS. THE FIRST STEP IS YOURS—SPEAK UP!

The individuals to contact with questions or concerns about sexual harassment are:

Sheri Stevens, Equal Opportunity Officer, 621-3110

Kathy Dexter, Dean of Students, 621-3153

Judy Jewell, UNET Augusta and University College Outreach Centers, 621-3409

SMOKING POLICY

The "Workplace Smoking Act" adopted by the 112th Legislature prohibits smoking in public buildings except in designated areas. There are no designated smoking areas on the Augusta, Bangor, and Lewiston-Auburn campuses. For more information, call the Office of Administrative Services in Augusta.

SOLID WASTE MANAGEMENT LAW

Under the State of Maine Solid Waste Management Law, UMA has a recycling and waste reduction program in place. Wastebaskets marked with the UMS logo and the words "The University of Maine at Augusta Recycles" should be used to dispose of high quality paper such as: stationary and envelopes; photocopy paper; and notebook paper (white). If you do not see these containers, please ask any UMA employee about them. If you have questions or suggestions, please call the Office of Administrative Services in Augusta.

Special Note Regarding Academic Complaints and Grievances: Occasionally, UMA students take courses offered by other (non-UMA) campuses or institutions. If you experience problems related to such a course, you must contact the campus offering that course for assistance. If you are still not satisfied and wish to file a formal academic grievance, you must follow the grievance procedures outlined by the campus sponsoring the course. Many campuses post their policies in their online student handbooks. The faculty member, his or her supervisor, or the chief student affairs officer at that campus may also be able to provide you with more information.

RESOLVING STUDENT ACADEMIC COMPLAINTS

UMA is concerned about the quality of every student's academic experience. When a student has an issue with an instructor or a course, we encourage that student to first pursue an informal resolution to his or her concerns. This is typically the most efficient and effective way to resolve a complaint.

Students are encouraged to follow these guidelines in dealing with such matters:

1. Communicate the concern in a timely manner directly to the instructor.

- Allow the instructor an opportunity to address your concerns. The instructor may be totally unaware of the problem and, therefore, unable to correct it without your feedback. In some cases, the issue may be beyond the instructor's control.
- Approach the conversation in a positive manner that encourages collegial problem solving.
- Be prepared to articulate your concern as clearly as possible. Do your homework and be ready to cite information (i.e., syllabus, graded papers, textbook information, etc.) that support your point of view.
- To allow for confidential and extended conversation, arrange to discuss the concern with the instructor outside of the classroom setting.

2. If not satisfied with the instructor's response, **consult with your program coordinator or academic advisor.** Either may be very helpful in resolving the problem. If you are not in a UMA degree program, move on to step 3.

- The name of your program coordinator is listed on UMA's Web page and may also be obtained from the college office or UMA's Information Center (1-877-UMA-1234).
- Your faculty advisor's name is available on the "academic program" screen of the on-line academic information system, DSIS. Students not attending on the Augusta campus may choose to consult with local campus or center staff.
- If it is impractical for you to contact either your program coordinator or academic advisor, move to step 3.

3. If the consultation process noted above is unsuccessful, arrange to **speak with the dean of the college who oversees your degree program.** If you are a non-degree student, speak with the college dean who oversees the course or instructor in question.

- The name of the appropriate college dean is on UMA's Web site or may be obtained from UMA's Information Center.

4. If the issue remains unresolved, **contact the dean of students** (student grievance officer) to discuss the option of filing a formal student academic grievance. The officer will explain the procedures and the circumstances under which a formal grievance is permitted. Filing a formal grievance is a serious step and is not appropriate in all circumstances.

5. When a formal grievance is not an option or desired by the student, the dean of students will provide information regarding any remaining options for resolving the complaint.

STUDENT ACADEMIC GRIEVANCE POLICY

Copies of the Student Grievance Policy are available in the Office of the Dean of Students in Augusta. It is advisable that students considering filing an academic grievance obtain a copy of the policy in order to adhere to all necessary deadlines and procedures. It is recommended that such students also contact the dean of students. Any questions regarding this policy should also be addressed to the dean of students. UMA students taking courses offered by other (non-UMA) campuses should [read the note above](#) for further information on the grievance process.

The Student Academic Grievance Policy is designed to give the University of Maine at Augusta student maximum opportunity to follow a grievance procedure when conditions warrant. Grievances under this policy are limited to allegations of failure of faculty to follow published course requirements or University policies, perceptions of unfair or discriminatory behavior, or questions regarding the evaluation of work and assignment of grades. However, in clarification, **it is the intent of this policy to guarantee fair procedure rather than to interfere with the faculty's stated prerogative to grade the substance of a student's course work. A grade, under all normal circumstances, can be changed only by the faculty member who assigned the grade.**

Any student who contemplates filing a student academic grievance should contact the dean of students for information on alternate paths to complaint resolution. In the event of a grievance, a student may opt to have another student act in the capacity of a support person during this procedure (see dean of students for details). It is assumed that at any given stage in the following procedures all parties will make sincere efforts to reach a final resolution of the issue in question.

- The titles of all potential parties to this procedure are underscored within this document.
- In order to be in compliance with this procedure, a student intending to file a grievance must do so by the end of the semester following the semester in which the grievance issue arose, excluding summer session. The "end of the semester" will be defined by the official University calendar.
- If the grieving party should fail to adhere to the procedural time limits, it will be assumed that the grievance is not being pursued. If the party being grieved does not adhere to the procedural time limits, the student shall proceed to the next step specified within the grievance policy. Exceptions to the time limits may be made by the mutual agreement of both parties. The dean of students will monitor compliance with deadlines and, therefore, should be copied on all documents pertinent to this procedure.
- Should extenuating circumstances prevent adherence to the specifications of the policy, the president of the Faculty Senate shall adjudicate the legitimacy of the extenuating circumstance.

- A.** The student must first discuss the matter of concern with the faculty member.
- B.** If the student is not satisfied with the results of the above discussion, she or he then appeals to the faculty member in writing within five business days with a copy to the faculty member's immediate supervisor. The details of the grievance will be explained by the student at this time.
- C.** The faculty member will respond in writing to the student within five business days with a copy to the faculty member's immediate supervisor. The faculty member will respond in specific terms to the grievance.
- D.** Within five business days from the date the student receives the faculty member's written response to her/his appeal, the student may request in writing a meeting with the faculty member and the faculty member's immediate supervisor. The meeting will be held within five business days of receipt of the student's request.
- E.** If the meeting outlined in step D does not resolve the grievance, the student must request within five business days that the president of the Faculty Senate convene an Ad Hoc Student Grievance Committee to investigate the facts surrounding the grievance. The Ad Hoc Student Grievance Committee will be appointed by the president of the Faculty Senate within five business days of receipt of the request. The Committee will be composed of three members: one faculty member from the discipline in question (or as related as possible); one faculty member from a College other than that of the party being grieved; and one student designated by the Student Government Association.

Either the student or faculty member may exercise one peremptory challenge and may challenge for cause any member of the Committee, the judgment in the matter of cause being made by the parliamentarian of the Faculty Senate.

The Committee will determine its own procedure and it will accept evidence including hearsay and strive to protect the interest of both parties.

F. The Committee will report its findings and recommendations to the student and faculty member concerned, the faculty member's immediate supervisor, the provost and the president of the Faculty Senate. The Ad Hoc Grievance Committee will report its findings within ten business days of appointment.

G. The Ad Hoc Committee recommends to the president or designee, who can implement the report, reject it, or return it to the committee.

STUDENT ACTIVITY MEDICAL AND INSURANCE POLICY

It shall be the purpose of the director of student life to promote healthful living and provide opportunities for the pursuit of good health through participation in recreational and athletic activities. Preventive medicine should be foremost in the minds of those leaders working with the University of Maine at Augusta student. Therefore, the director, coaches, advisors, and other staff

members must consider what is best for the individual's health in determining whether to require no physical examination, injury profile screen, or a thorough physical examination by a physician.

Recreational activities shall be those activities which involve only the University of Maine at Augusta students, faculty, administration and staff. Activities of this nature are voluntary and therefore the student accepts the responsibility for his/her own physical well being. Should an activity involve a great deal of body contact or be extremely vigorous, the students may be required to fill out an injury profile questionnaire which shall act as a screening device or require a physical examination before participation. If the activity director or his/her staff questions the health of a student, that student may be required to take a physical examination by a physician.

Athletic activities involve competition with schools outside of UMA. Men and women basketball and soccer athletes are expected to have an examination to determine their physical qualifications to participate in practice. Subsequent examinations may be required if there has been a change in the student's health status. Men or women basketball and soccer athletes are required to have University insurance or similar coverage under their present policy. Other club and extramural activities of an athletic nature may require participants to take a physical examination and have appropriate insurance. Criteria in determining the need will be: number of contests, hours of practice, physical demand made by the sport, student medical history, and recommendation of the director of student life.

Considerations for all athletic events should be: proper conditioning and training; proper diet and nutrition; proper protective equipment; proper facilities for practice, competition, and showering; desirable medical coverage or access at practice and contests.

STUDENT COMPUTER USE POLICY

<http://www.uma.maine.edu/cs/computpolicytext.html>

STUDENT CONDUCT CODE

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Copies of the University of Maine System Conduct Code are available at Augusta's Office of the Dean of Students. All students should become familiar with the Student Conduct Code. Questions should be directed to the dean of students in Augusta.

Policy Statement

The University of Maine System Student Conduct Code seeks to promote the pursuit of activities that contribute to the intellectual, ethical, and physical development of the individual under the auspices of the University of Maine System (hereinafter referred to as "University") and the individual campuses and to ensure the safety of persons engaging in those pursuits. It further seeks to protect the free and peaceful expression of ideas and to assure the integrity of various academic processes.

It is expected that students will conduct their affairs with proper regard for the rights of others and of the University. All members of the University community share a responsibility for maintaining an environment where actions are guided by mutual respect, integrity, and reason.

All members of the University are governed by System policies, local ordinances, and state and federal laws. For specific governing documents, students and/or campus organizations may wish to refer to the University Policies and Procedures manual, campus student handbooks, campus residence hall contracts, and related notices and publications. Individuals in violation of state and federal law are subject to prosecution by appropriate state and federal authorities regard-less of whether the activity occurs on or off the campus. In addition, the student may be subject to disciplinary action by the University pursuant to this Code. **THE SEVERITY OF THE IMPOSED SANCTIONS WILL BE APPROPRIATE TO THE VIOLATION.**

In seeking to encourage responsible attitudes, the University places much reliance upon personal example, counseling and admonition. In certain circumstances where these preferred means fail, it must rely upon the rules and procedures described in this Code. **IN THE ENFORCEMENT OF THIS CODE, THE UNIVERSITY FUNCTIONS IN AN ADMINISTRATIVE MANNER. THE UNIVERSITY'S ADMINISTRATIVE PROCESS AFFORDS FUNDAMENTAL FAIRNESS, BUT DOES NOT FOLLOW THE TRADITIONAL COMMON LAW ADVERSARIAL METHOD OF A COURT OF LAW.**

I. Jurisdiction

A. The University of Maine System Student Conduct Code (hereinafter referred to as Code) shall apply to the following:

1. Any person(s) registered or enrolled, in any course or program offered by the University or any person admitted to the University who is on the University real property or University-related real property for any purpose related to registration

or enrollment at the time of the alleged offense. A person enrolled in any such course or program during both the Spring and Fall semesters of the same calendar year, shall be deemed to be enrolled under this section during the Summer of that calendar year. A person enrolled in any such course or program in the Fall and Spring of an academic year shall be deemed to be enrolled under this section during any period of time between such semesters.

2. Any recognized student organization which is responsible for compliance with University policy, rules and regulations.

B. The Code may be applied only in cases of conduct:

1. occurring on any campus of the University, on any other University real property, or on University-related real property, or
2. involving University personal property or University-related personal property, or
3. occurring at activities pursued under the auspices of the University, or
4. in which the University can demonstrate a clear and distinct interest as an academic institution regardless of where the conduct occurs and which seriously threatens (a) any educational process or legitimate function of the University or (b) the health or safety of any member of the academic community.

II. Definitions

A. University Real Property: Land, buildings, fixtures, improvements, and any interests therein, owned or held by the University in any manner, including but not limited to, owned, rented, licensed, chartered, or otherwise engaged.

B. University Personal Property: All property, other than real property, and any interests therein owned or held by the University in any manner, including, but not limited to, rented, licensed, chartered, or otherwise engaged. The University's computer network and all its component parts which are not real property, shall be considered University personal property.

C. University-Related Real Property: Land, buildings, fixtures, improvements, and any interests therein, and campus organizations held by University Employees as a direct result of and in connection with their service to the University.

D. University-Related Personal Property: All property, other than real property, and any interests therein held by University Employees and campus organizations as a direct result of and in connection with their service to the University. University-related personal property shall also include any document or record issued or purporting to be issued by the University.

E. Activities pursued under the auspices of the University: Any activities specifically sponsored or participated in by the campus or by any campus organization. Such activities do not include informal off-campus gatherings of students.

F. Employee of the University: Employees, including faculty, staff, students, board of trustees, volunteers, and agents of the University. Herein referred to as "Employee".

G. Conduct Officer: Person(s) or designee responsible for adjudicating alleged violations of the Code. Herein referred to as "Officer".

H. Student Conduct Code Committee: Committee or designee responsible for deciding appeals of decisions made by the Officer and deciding original cases referred directly by the Officer. Herein referred to as "Committee".

I. Respondent: The student or organization who has been charged with allegedly violating provisions of the Code.

J. Advisor: The person who advises or supports any party involved in the process. Examples of advisors include, but are not limited to family members, friends, University staff or faculty, or legal counsel.

K. Complainant: The person (Employee, student, or guest) who files a report that alleges a violation of the Code has occurred.

L. Student Conduct Code: This entire document.

III. Violations

Those activities which directly and significantly interfere with the University's (1) primary educational responsibility of ensuring the opportunity of all members of the community to attain their educational objectives, or (2) subsidiary responsibilities of protecting the health and safety of persons in the campus community, maintaining and protecting property, keeping records, providing living accommodations and other services, and sponsoring non-classroom activities such as lectures, concerts, athletic events, and social functions.

Upon satisfactory proof that a student organization has violated a University policy or procedure, the organization may be subject to disciplinary action.

The violations listed below are considered in the context of the student's responsibility as a member of the academic community; other actions which may be considered as violations may be defined by other documents, as, for example, residence hall contracts. Disciplinary action taken under this Code is independent of the awarding of grades (an academic matter), and provisions of this Code cannot be used for changing awarded grades.

The Residence Hall Contract between the student and the University may specify certain other conditions, which impose additional responsibilities and obligations on the residence hall student.

The following violations indicate categories of conduct or activity which will violate the Code. Those listed have been delineated in such a way as to give reasonable warning to students that such conduct or attempted conduct is forbidden. These definitions of violations should not be rigidly construed.

1. Plagiarism – the submission of another's work as one's own, without adequate attribution.
2. Cheating ? the act or attempted act of deception by which a student seeks to misrepresent that he/she has mastered information on an academic exercise that he/she has not mastered.
3. Fabrication – the use of invented information or the falsification of research or other findings in an academic exercise.
4. Knowingly supplying false information to Employees in pursuit of their official duties, to a Committee in the course of a disciplinary proceeding, or knowingly causing false information to be thus supplied.
5. Violation of a regulation, policy, standard of conduct, or code of ethics applicable to the activity in which the student is engaged, and which has been adopted, published or other wise made known to students participating in such activity.
6. Unauthorized representation of the University or Employee of the University.
7. Tampering with, destroying or falsifying official records.
8. Failing to identify properly one's self to an Employee of the University in pursuit of his/her official duties.
9. Direct interference with or failure to comply with an Employee of the University in the performance of his/her official duties.
10. Physical assault.
11. Harassment or intimidation of another person.
12. To give or cause to be given false reports of fire or other dangerous conditions.
13. Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas or compressed air.
14. Tampering with, disabling, or causing malfunction of fire and safety equipment or alarm systems.
15. Violation of regulations concerning possession or misuse of firearms or other dangerous weapons, as defined by policies established for each campus.
16. Lewd or indecent behavior.
17. Disturbance resulting in substantial disruption of authorized activities.
18. Violations of University or state alcoholic beverage regulations or laws.
19. Possession, use, or sale of illegal drugs or paraphernalia.
20. Violation of University health or safety regulations.
21. Creation of a fire hazard or other dangerous condition.
22. Restriction of normal traffic flow into or out of University facilities.
23. Hazing – any action taken or situation created recklessly or intentionally by an organization or with the knowledge or consent of any organization to produce mental or physical discomfort, embarrassment, harassment, ridicule to any member or prospective member, or violation of law.
24. Intentionally or recklessly placing a person or persons in reasonable fear of imminent physical harm.
25. Harassment or discrimination based on race, color, religion, sex, sexual orientation, national origin or citizenship status, age, disability, or veterans status.
26. Sexual harassment.
27. Sexual assault.
28. Conviction of any crime that threatens (a) any educational process or legitimate function of the University, or (b) the health or safety of any member of the academic community.
29. Conduct which threatens or endangers the health or safety of any individual.
30. Violation of motor vehicle policies established for each campus.
31. Invasion of Privacy.
32. The theft, unauthorized acquisition, removal, or use of property.
33. Intentional or reckless misuse, destruction, or defacement of University property as defined above or the property of other people while located on University property.
34. Misuse of the University computer network or computers including, but not limited to, theft of computer files or data, e-mail, or other electronically stored information, probing or hacking into other computers or computer systems, spamming, sending out computer viruses, or uploading or downloading copyrighted material for personal use or distribution without authorization.
35. Trespassing or unauthorized presence on any University held or related property, including residence halls.
36. Significant interference with the normal residential life of others.
37. Violation of Residence Hall Contracts, except when the Residence Hall Contract specifically provides for an alternate procedure or remedy for the violation concerned.
38. Failure to comply with or attempts to circumvent a sanction(s) imposed by the Officer, Committee, President or designee.
39. Interference with a complainant, witness, investigation, or the carrying out of procedures defined in this Code.
40. Knowingly assisting in the violation of any of the provisions of this Code.
41. Violating local, state, or federal laws otherwise not covered under this Code.

IV. Sanctions

If a Respondent admits to a violation of this Code to the Officer or the Committee or upon determination by the Officer or Committee that the Respondent has committed a violation of the Code, one or more of the following sanctions may be imposed by the campus where the Respondent is currently enrolled, in accordance with the provisions of this Code (See Section V.):

- A. Disciplinary Dismissal – permanent separation (subject to the right of review after five years) from the University.
- B. Disciplinary Suspension – separation from the University for a stated period of time and/or until a stated condition(s) is met.
- C. Disciplinary Probation – a period of time when a Respondent is under closer scrutiny of the University. It may include the loss of one or more privileges.
- D. Official Warning – official acknowledgment of a violation and the expectation that it will not be repeated.
- E. Deferred Sanction – a specific period of time during which a Respondent's continued enrollment or housing contract at the University is clearly in jeopardy. Any further violation of the Code during that time will minimally result in the imposition of the deferred sanction and any additional sanctions deemed necessary.
- F. Restitution – up to the replacement value of the items damaged, stolen, removed or used without authority and damages incurred.
- G. Removal from University Housing – removal from a particular hall or all housing.
- H. Loss of Visitation Privileges – this loss of visitation may be to any designated areas of campus.
- I. Loss of Contact with a specific person(s) – with this sanction the person may not initiate direct or indirect contact with a specified person(s).
- J. Fine – payment of money. Students who are unable to pay may discuss alternate payment arrangements with the Officer.
- K. Community service related to violation.
- L. Assigned Educational Projects – this may include research projects, reflective essays, counseling assessments, sanction seminars or other related assignments intended to promote learning.
- M. Such other action as the Committee or Officer may reasonably deem appropriate (e.g., suspension of organization's official campus recognition or suspension from extra-curricular activity).

The institution may impose a harsher sanction on the Respondent when the Officer or Committee determines that the Respondent intentionally selected the person or organization against whom the violation was committed, or selected the property damaged or stolen, because of the race, religion, color, sex, sexual orientation, national origin or citizenship status, age, disability or veteran status of that person, the persons in the organization or the owner of the property.

Respondents who are Suspended will not be permitted to attend any of the University institutions during the sanction period. After the sanction period has been completed and all requirements of the Suspension have been met the Respondent is eligible for readmission to any University institution. For a Respondent preparing to transfer to a non-University institution, who has been suspended for a crime of violence or a nonforcible sex offense, a letter will be attached to his/her transcript explaining that he/she has been Suspended. If the Respondent is transferring to a non-University institution after the sanction has been completed, the letter will not be attached to the transcript. Respondents who are Dismissed will not be permitted to attend any of the University institutions. After five years from the date of the Dismissal the Respondent may submit a written request to be readmitted to attend one of the University institutions. For a Respondent preparing to transfer to a non-University institution, who has been suspended for a crime of violence or a nonforcible sex offense, a letter will be attached to his/her transcript explaining that he/she has been Dismissed. After five years from the date of the Dismissal the Respondent may submit a written request to have the letter attached for transfer applications to non-University institutions removed from his/her transcript. Requests for readmission or removal of the letter attached for transfer applications must be submitted to the Officer of the institution from which the Respondent was Dismissed. The Officer will convene the institutional committee designated by the President to review such requests pursuant to the campus written procedures.

V. Procedures

Each of the University institutions may adopt procedures for carrying out the provisions of this Code within the guidelines set forth by the Code as described below and consistent with the Code. University institutions having a professional code of ethics may adopt additional procedural provisions to be applicable to their own students. When a Respondent is alleged to have violated this Code on a System campus other than that in which he/she is enrolled, the case will be referred to the Respondent's home institution for disposition. Each campus President shall designate a campus official(s) to perform the functions of the Officer(s) and shall establish a Committee. The Officer shall not be a member of the Committee.

ADMINISTRATION AND INTERPRETATION OF THE STUDENT CONDUCT CODE SHALL BE SOLELY WITHIN THE JURISDICTION OF THE OFFICER, COMMITTEE AND THE PRESIDENT OR HIS/HER DESIGNEE ON EACH CAMPUS, SUCH INTER-PRETATION BEING PURSUANT TO THE PROCEDURES OF THIS CODE.

A. Responsibilities of Officer

1. The Officer may initiate and supervise investigations of possible violations of this Code which are brought to his/her

attention by Employees, students, or members of the general public.

2. The Officer shall investigate or supervise the investigation of possible violations of this Code which are brought to his/her attention by University Employees, students, or members of the general public.
3. Upon concluding the investigation, the Officer shall notify the Respondent in writing of the charge(s), the complaint(s), the date(s) of alleged occurrence(s), the Code section(s) which is (are) alleged to have been violated, the maximum possible sanction which may be imposed, date of hearing, and the Respondent's rights of appeal.
 - a. This notice shall indicate if the hearing is to be before the Officer or Committee.
 - b. This notice may be delivered personally, or mailed to the Respondent to his/her last known address.
 - c. If the hearing is to be before the Committee, this notice will afford the Respondent the opportunity to meet with the Officer prior to the hearing of the alleged violation(s).

B. Administrative Hearing(s) Before Officer

1. If the Respondent is not present at the time appointed for the hearing, the Officer may first attempt to determine the reason for the Respondent's absence. The Officer may proceed in a normal manner without the Respondent's attendance or reschedule the hearing to a later date. The Officer may not consider the absence of the Respondent as relevant to whether the Respondent committed the alleged violation of the Code.
2. During the meeting or hearing(s) with the Respondent no party present shall be accompanied by legal counsel, except when the Respondent also faces criminal charges for the same incident. All parties may be accompanied by an advisor or support person, for example, his/her parent(s), legal guardian(s), or member of the University community.
3. During the hearing(s), the Officer may hear and consider any relevant information. Efforts will be made to obtain the most reliable information available. The Officer may not consider:
 - a. Information obtained directly or indirectly through a search of a Respondent's person, effects, or room without his/her consent, unless obtained pursuant to a warrant or other legal search. Nothing in this section shall be deemed to prohibit routine inspection or maintenance of a Respondent's room, and nothing in this section shall be deemed to prohibit forcible entry of any place or constraint of any person in order to prevent harm or damage to person or property when made with reasonable belief that such damage or harm is occurring, has just occurred, or is about to occur.
 - b. The Respondent's refusal to consent to a search or to give information concerning the alleged facts. If the Officer is aware that a criminal prosecution relating to the same violation(s) is being conducted, or such action appears likely to be made, independent of the Hearing, the Officer will notify the Respondent in advance of the right to remain silent, and the Officer shall draw no inference from the Respondent's refusal to give information.
4. The Officer shall then:
 - a. dismiss the case, or
 - b. impose appropriate sanctions. Sanctions shall become operative within seven calendar days after written notice thereof has been given to the Respondent. Sanctions shall be stayed in the event the Respondent appeals to the Committee in accordance with this Code (see Section C below), or
 - c. refer the matter to the Committee if the Officer is in doubt as to whether acts have been committed which constitute a violation of this Code, or
 - d. refer the matter to the Committee if the Officer is in doubt of which, if any, sanction ought to be imposed, or
 - e. refer the matter to the Committee if there is a conflict of interest for the Officer, and
 - f. in the case of an alleged sexual assault or other violent crime, inform the Complainant of the outcome of the proceeding.
5. Notwithstanding the above, a Respondent may be Suspended from the University or have privileges revoked pending the outcome of a disciplinary proceeding if, in the judgment of the Officer, the Respondent's continued presence or use of privileges at the University pending the outcome of the proceeding is likely to pose a substantial threat: to self or other people or groups of people and/or of causing significant property damage and/or of disruption of or interference with the normal operations of the University. The Officer will make a judgment on interim action based on the review of the alleged conduct. Ordinarily, the Officer will converse with the Respondent when interim action is considered. A Respondent sanctioned under this section may seek review of that decision by requesting the President or designee to review the decision within five calendar days after the Respondent has received notice of the interim action. The Respondent may request that a formal Committee hearing be held as soon as practicable.

C. Right of Appeal Beyond Officer

1. The Respondent may appeal to the Committee any finding or action of the Officer. The outcome of this appeal may result in higher, lower, the same, or no sanction at all being imposed.
2. Such appeal shall be written by the respondent appealing and shall state the issue(s) being appealed and provide a detailed rationale. The written appeal shall also request a review by the Committee. This written appeal must be received by the Officer within seven calendar days after the Respondent has received notice of the findings. The Officer shall promptly

forward the appeal to the Committee.

D. Responsibilities of the Committee

1. After notification from the Officer (or the President/designee in the event of procedural error referrals), the Chair of the Committee shall, as soon as practicable:
 - a. Notify, in writing, the Officer and the Respondent of a date, place, and time for hearing with the hearing normally to be held not earlier than five calendar days, nor later than 14 calendar days after issuance of notification by the Committee
 - b. List in the notice to the Respondent the names of the Committee member(s) hearing the appeal and witnesses being invited by the Officer.
 - c. Make arrangements for the keeping of a recorded record of the proceedings of the Committee hearing. In cases of appeal, the Respondent charged with the violation, his/her representative, and authorized University officials may have access to the record for purpose of review relating to the appeal but no copies shall be made except by the University. Such record shall be kept by the University campus for three years after all appeal rights have been exhausted at which time such record will be destroyed. Such records of hearings are deemed to be Student Education Records under the Family Educational Rights disclosed publicly except as provided in such Act. No recording, other than the one made by the Committee, is permitted at the hearing.
2. Composition of Committee
 - a. The Committee shall consist of at least three, but no more than seven members, at least one of whom shall be a student and one a Presidential designee. The number of Committee members, the composition of the Committee, and the method of selection shall be determined by each campus in a manner approved by the President. The President shall also appoint the chairperson from among the Committee members.
 - b. The Respondent charged with the violation, the Officer, and the Complainant shall have the right to challenge for cause any member of the Committee by submitting to a designated official a written memorandum stating the grounds for this challenge at least two days prior to the scheduled meeting. Removal of members for cause shall be within the authority and at the discretion of the Chair of the Committee or another member of the Committee if the Chair is unable to exercise that function or is challenged for cause.
3. Hearing Preliminaries
 - a. At any proceeding before the Committee, the Officer, the Respondent, or any other party to the hearing may have the assistance of an advisor which may include legal counsel. Such assistance will be at the option of the Respondent. That is, if the Respondent chooses such assistance, the Officer or other party shall have the right to similar assistance. In the case of an alleged sexual assault, the Complainant shall have the same opportunity as the Respondent to have the assistance of an advisor.
 - b. The hearing shall be closed. The Committee Chair may permit two support people of the Respondent or Complainant to observe. When the hearing is opened to any of the above mentioned people, the Committee Chair reserves the right to close the hearing or any portion thereof in order to protect any party participating.
 - c. If the Respondent or the charging party (either the Officer or Complainant) is not present at the time appointed for the hearing, the Committee shall first attempt to determine the reason for that person's absence. The Committee may proceed in a normal manner without Respondent's attendance or the charging party, may hear only a portion of the testimony and adjourn to a later date, or may continue the entire hearing to a later date. The Committee may not consider the absence of a party as relevant to whether the Respondent committed the alleged violation of the Code.
4. Hearing Procedures
 - a. Responsibility for recognizing and permitting persons to speak lies exclusively with the Chair.
 - b. Persons disruptive to any stage of the hearing may be evicted at the reasonable discretion of the Chair.
 - c. The Officer shall first present the results of the investigation and/or the charges against the Respondent.
 - d. The Officer and/or the Complainant may present oral testimony and/or written statements from any person including the Respondent, and all relevant documents, records and exhibits.
 - e. The Respondent may then present written documentation or oral testimony from the Respondent him/herself and/or other witnesses, and all relevant documents, records and exhibits. The names of such witnesses and/or copies of written statements must be submitted at least one working day prior to the hearing to the Officer for inclusion in the materials presented to the Committee. At the discretion of the Chair, the Respondent may submit written documents, oral testimony of witnesses, and all relevant documents, records, and exhibits at the time of the hearing.
 - f. At any time during the proceedings, members of the Committee may question witnesses or parties to the proceeding; witnesses or parties may ask questions of other witnesses or parties only at the discretion of and through the Chair. Cross examination by an advisor of either party is not permitted. The advisor may not speak at the hearing at such time as his/her advisee's presentation is made to the Committee.
 - g. After the presentation of all the evidence to the Committee, each party, or their respective advisor, may present arguments to the Committee on the applicability of this Code or the interpretation of any sections herein.
 - h. At this time, the Officer or his/her advisor and the Respondent or his/her advisor may make recommendations to the Committee as to the appropriate sanctions, should a violation(s) be found to have been committed.

- i. During the hearing the Committee may consider any relevant information, shall not be bound by the strict rules of legal evidence, and may take into account any information which is of value in determining the issues involved. Efforts will be made to obtain the most reliable information available.
- j. After all parties have presented their respective information, the Committee shall go into closed session to determine whether the Respondent has committed the alleged violation and, if so, the sanction(s) to be imposed. A member should vote that the Respondent is In Violation of the Code only if convinced by a preponderance of the information presented that the Respondent has committed the act(s) as charged. A majority vote of In Violation or Not In Violation of the Code by the Committee members present shall prevail. If the majority of the Committee votes for Not In Violation or there is a tie, then the appealed charge shall be dismissed.
- k. After making its decision, the Committee shall inform the Respondent in writing of the disposition of the case as soon as practicable. Any disciplinary sanctions imposed by the Committee shall be operative immediately upon notification, unless otherwise specified, or unless the Respondent appeals under Section V.E. below in which case sanctions will be stayed unless deemed necessary for the protection of other persons.
- l. The notice to the Respondent of the finding of the Committee shall include:
 - (1) The section(s) of this Code found to have been violated.
 - (2) The disciplinary sanction imposed or other sanction to be taken.
 - (3) The Respondent's right to appeal in the event the Committee approves a sanction of Suspension or Dismissal, the grounds under which the appeal may be made, and a statement of the expiration date for the filing of that appeal.
 - (4) Minority report and recommendations, if any.
- m. In the case of an alleged sexual assault or other violent crime, the Committee shall inform the Complainant of the outcome of the proceeding.

E. Right of Appeal Beyond Committee

- 1. In the event the Committee approves a sanction of Suspension or Dismissal, or loss of recognition of campus organizations, the Respondent may request review by the President or his/her designee. Such request for review must be made within seven calendar days of notification of imposition of sanction. The appeal shall be in writing and limited to:
 - a. Review of the procedures followed. In the event of a procedural error, the President or his/her designee shall reverse and remand the case to the Committee for a new hearing as set forth in section V.D. above.
 - b. Appropriateness of the sanction. The President may not impose a more severe sanction. The decision of the President or his/her designee shall be final and shall be communicated to the Respondent in the same manner set forth in Section V.A.3b above.
 - c. In the case of an alleged sexual assault or other violent crime, the President or his/her designee shall inform the Complainant of the outcome of the proceeding.
- 2. If the Committee decided a case referred directly by the Officer, the President or his/her designee shall designate a new person/group to hear the first appeal. The decision of that person/group may then be appealed according to section 1 above.

VI. Student Conduct Code Review Board

There shall be established a board, known as the Student Conduct Code Review Board. It shall be composed of three persons from each institution of the University: the Officer, the Chair of the Committee, and one student named by the President after seeking nominations from student representatives for this appointment. Also, one student who is a participant in a distance education program shall be appointed by the Vice Chancellor for Academic Affairs. In addition, one representative each from the Board of Trustees and the Chancellor's Office shall serve on the Review Board. The Chancellor's representative shall be responsible for calling the Review Board into session. This Review Board shall meet at least once every three years, but may meet more often if necessary under the following procedures:

- A. When requested by Officers representing at least two institutions of the University of Maine System.
 - B. When requested by Student Government Officers representing at least two institutions of the University of Maine System.
 - C. When requested by the Chancellor of the University of Maine System.
- The Review Board shall
- D. Consider all proposed amendments to this Code and act as an advisor to the Board of Trustees in matters pertaining to the Code.
 - E. Send its recommendations on proposed amendments of the Code to the Presidents Council and Chancellor for transmission to the Board of Trustees.
 - F. Review the relationship between violations and sanctions in order to encourage consistency throughout the University System.

VII. Amending the Student Conduct Code

The Board of Trustees shall act upon proposed amendments to the Code after receiving recommendations of the Review Board, the Presidents Council of the University System, and the Chancellor.

As provisions of this Code are subject to periodic review and change, the most recent and current copy of this Code may be obtained through the Student Services Office and/or the Office of the President on each campus. For information on the UMA Student Judicial Procedures, please see the Office of the Dean of Students in Augusta. These procedures explain how UMA implements the University wide policy.

Revised by the Conduct Code Review Board and accepted by the Board of Trustees, June 2, 2003.

STUDENT EMPLOYEES DRESS CODE

No attempt is made to control the dress or appearance of individual members of the student body. An exception to this is made in the case of students employed by UMA. During times of such employment, they must be neat, clean and properly attired. Any student employee reporting for work in inappropriate attire will not be permitted to commence work until the condition is corrected. Student employees must maintain these standards during all hours of employment.

STUDENT GRIEVANCE POLICY AGAINST PROFESSIONAL EMPLOYEES

Additional copies of this grievance policy are available in the Office of the Dean of Students in Augusta. It is advisable to all students considering filing a student grievance to carefully review the policy in order to adhere to all necessary deadlines and procedures.

The Student Grievance Policy and Procedure against Professional Employees is designed to give the UMA student the opportunity to follow a grievance procedure. Grievable matters will be limited to a professional employee's administrative action which has adversely affected the student who is filing the grievance. This policy is applicable at UMA and all of its functional units. This excludes specific areas covered by the Student Grievance Policy which was adopted on June 13, 1995, and which is applicable to student grievance against faculty members.

It is assumed that at any given stage in the following procedure, all parties will make sincere efforts to reach a final resolution of the issue in question. If the grieving party fails to adhere to the policy time limits, it will be assumed that the grievance is NOT BEING PURSUED. Should extenuating circumstances prevent adherence to the specifications of this policy, the chairperson of the PEA shall adjudicate the legitimacy of the extenuating circumstance. It is also recommended that students who contemplate filing a grievance against a professional employee or have questions about the policy contact the dean of students.

- A.** The student must first discuss the matter of concern with the staff member involved.
- B.** If the student is not satisfied with the results of the above discussion s/he then appeals to the staff member in writing within three working days with a copy to the staff member's immediate supervisor. The details of the grievance will be explained at this time. At this point, any student who files a grievance waives his/her right to confidentiality with respect to information which has bearing on the grievance. Such information will be subject to full disclosure by any involved parties with appropriate discretion.
- C.** The staff member will respond in writing to the student within three working days with a copy to the staff member's immediate supervisor. The staff member will respond with specific terms to the grievance.
- D.** Within three working days from the date the student receives the staff member's written response to his or her appeal, the student may request in writing a meeting with the staff member and the staff member's immediate supervisor. The meeting will be held within three working days of receipt of the student's request.
- E.** If the meeting outlined in Step D does not resolve the grievance, the student must request in writing within five working days that the chairperson of the Professional Employees Assembly select another staff member who is acceptable to both parties of the grievance to act as mediator in the matter of the grievance. This mediator shall be selected from a unit not involved in the grievance. The mediator's function shall be to discuss the facts of the grievance issue frankly and objectively with both parties in hope of resolving the grievance.
- F.** If the meeting outlined in Step E does not resolve the grievance, the student must request in writing within five working days that the chairperson of the Professional Employees Assembly convene an Ad Hoc Student Grievance Committee to investigate the facts behind the grievance.
- G.** The chairperson of the Professional Employees Assembly will, after receipt of the student's request, convene an Ad Hoc Grievance Committee consisting of two students to be appointed by the chairperson of the Professional Employees Assembly from a list of at least eight names provided by the president of the Student Government Association. Either the student or the staff member may exercise one peremptory challenge and may challenge for cause any member of the committee, the judgment in matter of cause being made by the vice chairperson of the Professional Employees Assembly. The Committee will determine its own procedure and will accept all pertinent information and strive to protect the interest of both parties.
- H.** The Committee will report its findings and recommendations to the student/staff member concerned, the staff member's immediate supervisor, unit manager, the president of UMA and the chairperson of the Professional Employees Assembly. The Ad Hoc Grievance Committee will report its findings within three working days after its final meeting. The recommendation of the Ad Hoc Grievance Committee will constitute the final steps in this appeal process. All parties are expected to adhere to these findings.

I. In cases where the chief administrative officer is involved, steps A, B, and C of the procedure apply. Step D would be in accordance with the office and the procedures that follow would be in accordance with the chancellor's stated policies and procedures of student grievance.

STUDENT PERSONAL PROPERTY LOSSES

The University shall have no responsibility for loss or damage to personal property owned by the student or in the custody of the student, except in University controlled buildings, and only to the extent that such property loss or damage is the result of an insured loss for direct physical damage, such as loss by fire or theft with signs of forced entry. In such cases, the University provides secondary insurance for the loss of the student's property. The University's insurance covers only after all personal or family insurance has been used. The University insurance provides a \$5000 maximum coverage limit per student, subject to a \$50 deductible per student. However, the University's insurance does not cover property losses to the student or students whose negligence was the cause of a loss.